

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Wolfgang-Reinhold Knappe)
Serial No. 09/426,931)
Filed October 22, 1999)
SPREADING LAYERS, WETTING)
AGENTS FOR THEIR PRODUCTION)
AND THEIR USE IN TEST STRIPS)

Examiner
Cross

Art Unit
1743

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to the following facsimile number:

(703) 872-9306

(Facsimile Number)

May 12, 2004

(Date of Facsimile Transmission)

James B. Myers

Name of Registered Representative

Signature

TERMINAL DISCLAIMER

The undersigned hereby represents that the owner, has a 100 percent undivided part interest in the above-captioned application and U.S. Patent No. 6,537,496, as indicated by assignments recorded with the United States Patent and Trademark Office at Reel 010759, Frame 0739 and Reel 010830, Frame 0201, respectively.

The undersigned, on behalf of Roche Diagnostic GmbH, hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of U.S. Patent No. 6,537,496, issued March 25, 2003, and hereby agrees that any patent granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,537,496. This disclaimer shall run with any patent granted on the above-captioned application and to be binding upon the grantees, their successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the above-identified patent, as

TERMINAL DISCLAIMER

shortened by any terminal disclaimer filed prior to the patent grant, in the event that the granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By: 

James B. Myers

Reg. No. 42,021

Woodard, Emhardt, Moriarty McNeill & Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 713-4948

TERMINAL DISCLAIMER